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GOVERNMENT OF KERALA

Law Department

NOTIFICATION

No. 4165/62/Law (K)3. *Dated, Trivandrum, 2nd May 1962 / 12th Vaisakha 1884.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 2nd day of May, 1962.

By order of the Governor,

P. SANKARAN ELAYATH,
Law Secretary.

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DATA ENTRY

ACT 19 OF 1962

THE KERALA PANCHAYATS (AMENDMENT) ACT, 1962.

An Act further to amend the Kerala Panchayats Act, 1960.

Preamble.—WHEREAS it is expedient further to amend the Kerala Panchayats Act, 1960 for the purposes hereinafter appearing and to provide for hearing of objections before division of panchayat areas into wards;

BE it enacted in the Thirteenth year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Panchayats (Amendment) Act, 1962.

(2) It shall come into force at once.

2. *Amendment of section 10 of Act 32 of 1960.*—In section 10 of the Kerala Panchayats Act, 1960 (Act 32 of 1960), hereinafter referred to as the principal Act,—

(1) in sub-section (1), for the opening portion beginning with the words "For the purpose of election" and ending with the words "in the prescribed manner—" the following words shall be substituted, namely:—

"For the purpose of election of members to a Panchayat, the Deputy Director may in his jurisdiction, after previous publication and hearing of objections, if any, and after consulting the Panchayat where there is a Panchayat, by notification in the prescribed manner—";

(2) after sub-section (3) the following sub-section shall be inserted, namely:—

"(3A.) The Government may at any time call for the records connected with the division of a panchayat area into wards from the Deputy Director for the purpose of satisfying themselves of the legality, regularity or propriety of any order passed or proceedings taken in the said matter by the Deputy Director and pass such orders thereon as they may deem fit. The Deputy Director shall modify the division of Panchayat areas into wards in accordance with the orders of Government and publish in the prescribed manner the modification so made".

3. *Amendment of section 130 of Act 32 of 1960.*—In section 130 of the principal Act, in sub-section (3) for the words "All notifications and rules" the words "All rules" shall be substituted.

4. *Revision of orders dividing panchayats into wards.*—(1) The notifications dividing Panchayat areas into wards published before the commencement of this Act by the Deputy Directors of Panchayats under section 10 of the Kerala Panchayats Act, 1960 (Act 32 of 1960) shall, notwithstanding anything contained in the said Act or notifications, be deemed to be proposals for the division of the panchayat areas into wards and any person interested may file before the Deputy Director concerned objections or suggestions for modification to the said proposal within 30 days from the date of commencement of this Act.

(2) The Deputy Directors of Panchayats shall, as soon as may be, after the date specified in sub-section (1) and after hearing the objections and suggestions, if any, received by them, pass such orders thereon as they consider necessary and modify the division of Panchayats accordingly.

(3) The Deputy Directors of Panchayats shall publish in the prescribed manner the division of Panchayat areas into wards as modified under sub-section (2) or, where there has been no modification, the division as originally published, and the division so published shall, subject to the provisions of sub-section (4) be deemed to be division for the purpose of elections to the panchayats.

(4) The Government may at any time call for the records connected with the division of a panchayat area into wards from the Deputy Director of Panchayats for the purpose of satisfying themselves of the legality, regularity or propriety of any order passed or proceedings taken in the said matter by the Deputy Director of Panchayats and pass such orders thereon as they may deem fit. The Deputy Director of Panchayats shall modify the division of panchayat areas into wards in accordance with the orders of Government and publish in the prescribed manner the modification so made.